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Assistant Commissioner for Patents,  
Washington, D.C. 20231,

Attorney Docket No. 16930-000921

PATENT

TOWNSEND and TOWNSEND and CREW LLP

By John P. Boag

10/28/97  
08/958570  
20110 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
RICHARD J. GREGORY ) Examiner: Not Assigned  
Application No.: Not Assigned ) Art Unit: Not Assigned  
Filed: Herewith ) INFORMATION DISCLOSURE  
For: RECOMBINANT ADENOVIRAL ) STATEMENT UNDER  
VECTOR AHD METHOD OF USE ) 37 CFR §1.97 and §1.98  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. This application is a divisional under 37 CFR 1.60 of USSN 08/328,673, filed October 25, 1994, which is a continuation-in-part of USSN 08/233,777, filed April 26, 1994, which is a continuation-in-part of USSN 08/142,669, filed October 25, 1993. All references cited in the attached form 1449 have been previously cited in these applications. Copies of documents are therefore not being provided pursuant to 37 CFR 1.98(d). If copies of the references are not available to the Examiner, the Examiner is invited to contact the undersigned.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are

#47R  
04/01/98

RICHARD J. GREGORY  
Application No.: Not Assigned  
Page 2

PATENT

prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to charge such fee to Deposit Account No. 20-1430. Please charge any additional fees or credit any overpayment to the above-noted Deposit Account.

Respectfully submitted,

  
Renee A. Fitts  
Reg. No. 35,136

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 326-2400  
Fax (415) 326-2422  
RAF:mc

h:\home\raf\work\16930\921\921.Ids

**RULE 60**

**TOWNSEND and TOWNSEND and CREW LLP**  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
(415) 576-0200

Atty. Docket No. 16930-000921

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70110 U.S. PTO  
10/28/97  
08/958570

**ASSISTANT COMMISSIONER FOR PATENTS**  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.60 for filing a  
[ ] Continuation  Division  
of application No. 08/328,673, filed October 25, 1994,  
of (list each inventor) Richard J. Gregory, Ken N. Wills, Daniel C. Maneval

By John P. Borg  
John P. Borg

for RECOMBINANT ADENOVIRAL VECTOR AND METHODS OF USE

The application papers **FILED HEREWITH** (specification, claims, originally filed drawing(s) and oath or declaration) are a true copy of the prior application.

Please amend the specification by inserting before the first line the sentence:

--This is a [ ] Continuation  Division of application No. 08/328,673 filed October 25, 1994, which is a continuation-in-part of USSN 08/233,777, filed April 26, 1994 (now abandoned), which is a continuation-in-part of USSN 08/142,669, filed October 25, 1993 (now abandoned), the disclosures of which are incorporated by reference in their entirety.--

A preliminary amendment is enclosed.

[ ] Formal drawings are enclosed.

An Information Disclosure Statement under 37 CFR 1.97 is enclosed.

[ ] Enclosed is a petition to extend time to respond.

[ ] Please record the enclosed assignment to \_\_\_\_\_.

The prior application is assigned to Canji, Inc. (Reel 7591, Frames 0355-0359).

Please cancel claim(s) 1-15, 25.

Copy of Revocation and Substitution of Power of Attorney

Sequence Listing, Communication regarding computer readable sequence listing

Claims as Filed, Less any Cancelled Claims

(Col. 1)	(Col. 2)	
FOR:	NO. FILED	NO. EXTRA
<b>BASIC FEE</b>		
<b>TOTAL CLAIMS</b>	<b>15</b>	<b>-20=</b>
<b>INDEP CLAIMS</b>	<b>3</b>	<b>-3=</b>
<b>[ ] MULTIPLE DEPENDENT CLAIM PRESENTED</b>		

\* If the difference in Col. 1 is less than zero,  
enter "0" in Col. 2

SMALL ENTITY	
RATE	Fee
	\$395
x11=	\$
x40=	\$
+130=	\$
TOTAL	\$

OTHER THAN A SMALL ENTITY	
RATE	Fee
	\$790
x22=	\$
x80=	\$
+260=	\$
TOTAL	\$790

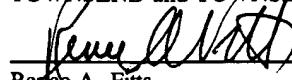
Please charge Deposit Account No. 20-1430 as follows:

Filing fee \$ 790.00  
 Any additional fees associated with this paper or  
during the pendency of this application  
 The issue fee set in 37 CFR 1.18 at or before mailing of the Notice  
of Allowance, pursuant to 37 CFR 1.311(b).

A check for \$ \_\_\_\_\_ is enclosed.  
2 extra copies of this sheet are enclosed.

Respectfully submitted,

**TOWNSEND and TOWNSEND and CREW LLP**

  
Renee A. Pitts  
Reg. No.: 35,136  
Attorneys for Applicants

Telephone: (415) 576-0200

RULE60.TRN 9/96